



Signed and Filed: March 11, 2024

Lewis Montali

**DENNIS MONTALI**  
**U.S. Bankruptcy Judge**

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

In re ) Bankruptcy Case  
BENJA INCORPORATED, ) No. 20-30819-DM  
Debtor. )  
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## ORDER GRANTING MOTION TO APPROVE COMPROMISE

The court has considered the *Chapter 7 Trustee's Motion to Approve Compromise of Controversy with Securities and Exchange Commission* (Dkt 193) and finds it to be well-taken and concludes that it should be GRANTED. The trustee has adequately met his burden to establish the Ninth Circuit's *A & C Properties* factors.

The court has independently reviewed those factors as present in the record and agrees with the trustee. Further, there have been no timely objections by the extended deadline of March 1, 2024, (See Dkt 200). It is also in the best interest of creditors and of this estate.

1 Separately the trustee and Busey Bank have entered into the  
2 Stipulation (Dkt 204) that eliminates the possibility of any  
3 objection by Busey Bank to the proposed compromise.

4 The court does note that citation at 4:26 to 11 U.S.C. §  
5 727(a)(2) appears to be in error; it should be § 726(a)(2).  
6 That has no bearing on the merits of the settlement. And the  
7 court congratulates counsel for the trustee and the S.E.C. for  
8 resolving this dispute by this reasonable and correct  
9 compromise.

10 This matter is DROPPED from the court's March 15, 2024  
11 calendar as unnecessary.

12 || \*\*END OF ORDER\*\*

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